(d) In regards to non-compliance of the provisions of the Companies Act, 1956 and Section 22A of the Securities Contracts (Regulation) Act, 1956, share-holders can take up matter with the concerned Registrar of Companies and in regard to non-compliance of Listing Guidelines|Listing Agreement.Circular issued by Department of Economic Affairs. A reference may be made to the concerned Stock Exchange(s)/Department of Economic Affairs. Section 621 of the Companies Act, 1956 also authorises a shareholder to file prosecution against the company and its officers. The companies concerned are advised to ensure that delays and non-delays and non-compliance of provisions of the Companies Act, Listing Guidelines etc. are avoided, failing which proceedings will be initiated against them in accordance with law, Government has issued a Press Note No. 17|8|89-CL.V dated 11-1-91 to this effect for safeguarding the interest of the shareholders|investing public.

(e) Consent to issue of capital to companies is given according to the provisions of the Capital Issues (Control) Act, 1947, as amended from time to time.

Electoral Reforms

26. SHRI AJIT P. K. JOGI:
DR. SANJAYA SINH:
KUMARI ALIA:
SHRI SHANKAR DAYAL SINGH:

Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Government propose to amend the Representation of the People (Amendment) Act, 1950 to bring in electoral reforms during the present session;

(b) if so, the details thereof and the time by when the legislation is likely to be introduced;

(c) whether it is proposed to set up a Committee also on electoral reforms;

(d) if so, the details thereof; and

(e) by when the formal and informal discussions with the political parties are likely to take place in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI RANGARAJAN KUMARAMANGALAM): (a) and (b) The Government is preparing a comprehensive package of electoral reforms which are proposed to be discussed with the leaders of political parties in Parliament. Necessary legislation to give effect to the proposed electoral reforms is likely to be brought forward in the next session of Parliament.

(c) No, Sir.

(d) Does not arise.

(e) Discussions with the leaders of political parties in Parliament are proposed to be held in the next few weeks.

High courts in State and Union Territories

27. SHRI SURESH PACHOURI: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) what is the number of States and Union Territories in the country which do not have their own High Courts;

(b) what is the number of High Courts which have jurisdiction over two or more States or Union Territories in the country;

(c) whether Government propose to establish one High Court each in every State and Union Territory in the country; and

(d) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI RANGARAJAN KUMARAMANGALAM): (a) The principal seats of High Courts in respect of nine States and five Union Territories in the country are not located inside their territories.

(b) The jurisdiction of six High Courts

extends over two or more States or Union Territories in the country.

(c) No, Sir.

(d) It is not considered necessary and feasible to establish one High Court each in every State and Union Territory in the country.

Action taken against companies

28. SHRI RAJNI RANJAN SAHU:
SHRIMATI SATYA BAHIN:
CHOWDHARY RAM SEWAK:

Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to refer to the answer to Starred Question 339 given in the Rajya Sabha on 23rd March, 1992 and state:

(a) when his Ministry requested the Registrar of Companies to initiate action against each company which had not submitted cost audit reports to his Ministry during the last three years;

(b) what is the present position in each case;

(c) what are the reasons for delay of four years old cases remaining undecided;

(d) what is the nature of offence in each case;

(e) what is the prescribed punishment in each case;

(f) whether it is a fact that in number of cases, the companies have not provided the information as asked by his Ministry on the data submitted by them; and

(g) if so, the names of those companies and action taken against each?

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI RANGARAJAN KUMARAMANGALAM): (a) and (b) Information is given in the Statement annexed. [*See* Appendix CLXIII, Annexure No. 11] Action againt defaulting companies|cost auditor is in various stages of finalisation.

(c) As legal action against the defaulting companies is involved, the cases are pending at various stages of litigation.

(d) In all cases, the offence relates to non compliance of Saction 233B of the Companies Act, 1956 and or Cost Audit (Report) Rules, 1968.

(e) For contravening the provisions of Section 233B of the Companies Act, 1956, the companies are liable to be punished with fine which may extend to five thousand rupees and every officer of the company who is in default shall be liable to be punished with an imprisonment for a term which may extend to three years or with fine which may extend to five thousand rupees or with both.

(f) and (g) While reviewing the cost audit reports, companies have been asked to submit additional information|clarification as and when required. By and large companies have furnished the requisite information.

Cost audit reports submitted by Companies

29. SHRI H. HANUMANTHAPPA:
SHRI RAJNI RANJAN SAHU:
SHRIMATI SATYA BAHIN:

Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to refer to the answer to Starred Question 339 given in Rajya Sabha on 23rd March, at present as claims from the creditors 1992 and state:

(a) what are the details of Cost Audit reports received during 1991-92 which were examined by his Ministry;

(b) what are the details of cases where his Ministry found excessive profits and misutilisation of imports;

(c) what are the names of the companies and products involved by each;

(d) when each finding was sent to the concerned Ministries;

(e) whether his Ministry has receievd any reports from any Ministry about the action taken on their findings; and